

**Senate File 256 - Introduced**

SENATE FILE 256

BY DAWSON

**A BILL FOR**

1 An Act relating to the prosecution of criminal offenses  
2 committed by law enforcement officers.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 13.12, Code 2023, is amended to read as  
2 follows:

3 **13.12 Prosecution of criminal offenses committed by law**  
4 **enforcement officers.**

5 1. The attorney general may prosecute a criminal offense  
6 committed by a law enforcement officer, as defined in section  
7 80B.3, arising from the actions of the officer resulting in the  
8 death of another, regardless of whether the county attorney  
9 requests the assistance of the attorney general or the attorney  
10 general decides to independently prosecute the criminal offense  
11 committed by the officer.

12 2. If the attorney general determines that criminal charges  
13 are not appropriate, the attorney general may refer the matter  
14 to the Iowa law enforcement academy council to recommend  
15 revocation or suspension of the officer's certification if  
16 the attorney general determines that the officer committed  
17 misconduct that would be grounds for revocation or suspension  
18 of a certification under **chapter 80B** or **80D**, or rules adopted  
19 pursuant to those chapters.

20 3. If the attorney general determines that the officer acted  
21 with legal justification in using deadly force to avoid injury  
22 or risk to the officer's life or the safety or life of another,  
23 no other prosecuting agency shall bring an unreasonable use of  
24 force case against the officer.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with  
27 the explanation's substance by the members of the general assembly.

28 This bill relates to the prosecution of criminal offenses  
29 committed by law enforcement officers.

30 Current law provides that the attorney general may prosecute  
31 a criminal offense committed by a law enforcement officer  
32 arising from the actions of the officer resulting in the death  
33 of another.

34 The bill provides that if the attorney general determines  
35 that the officer acted with legal justification in using deadly

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1 force to avoid injury or risk to the officer's life or the  
2 safety or life of another, no other prosecuting agency shall  
3 bring an unreasonable use of force case against the officer.